

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

**GABRIEL CARRERA
SABINA GONZALES
DEBTOR(S)**

§
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§

**CASE NO. 17-32750
CHAPTER 13**

OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Comes now Ditech Financial LLC (hereinafter "Ditech"), a secured creditor in the above-entitled and numbered case, filing this Objection to Confirmation of Chapter 13 Plan, and in support hereof represents:

1. The above-styled Debtor(s) filed a voluntary petition under Chapter 13 of Title 11, United States Bankruptcy Code, on May 1, 2017.
2. Debtor(s) is indebted to Ditech pursuant to a promissory note secured by a recorded instrument granting a security interest in the real property with the address of 14415 Meyersville Dr., Houston, Texas 77049 (the "Property").
3. The Property is the Debtor(s)' principal residence.
4. The total debt due and owing to Ditech as of the date of filing was approximately \$78,128.10, with pre-petition arrearage of approximately \$13,915.71 (the "Claim").
5. Debtor(s) Chapter 13 Plan (the "Plan") as proposed provides only \$11,755.00 to satisfy the pre-petition arrearage portion of the Claim.
6. Ditech objects to confirmation of the Plan because:
 - a. it does not comply with Section 1322(b)(2) and is not feasible because it understates the amount of the Claim, including, but not limited to pre-petition arrears and the total debt due and owing as of the date of filing.

WHEREFORE, PREMISES CONSIDERED, Ditech prays that this Court deny confirmation of the Plan, and grant it such other and further relief at law and in equity as is just.

Respectfully submitted,
Buckley Madole, P.C.

/s/ Carlos R. Hernandez-Vivoni

Michael J. Burns / TBN 24054447

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Attorney for Ditech Financial LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served upon the following parties in interest either via pre-paid regular U.S. Mail or via electronic notification on or before the 21 day of July, 2017:

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Debtor
Sabina Gonzales
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Chapter 13 Trustee
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17-32750

/s/ Carlos R. Hernandez-Vivoni
Michael J. Burns
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